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6 Attorneys for Plaintiff  
7 United States of America

8  
9 IN THE UNITED STATES DISTRICT COURT  
10  
11 EASTERN DISTRICT OF CALIFORNIA

12 UNITED STATES OF AMERICA,  
13 v.  
14 RICARDO BALLARDO QUINTERO, and  
15 JUAN SUAREZ, JR.,  
16 Defendants.

CASE NO. 1:21-CR-00257-JLT-SKO  
STIPULATION TO VACATE STATUS  
CONFERENCE DATE, SET THE MATTER FOR  
TRIAL, AND EXCLUDE TIME PERIODS UNDER  
THE SPEEDY TRIAL ACT; ORDER  
CURRENT DATE: April 5, 2023  
TIME: 1:00 p.m.  
COURT: Hon. Sheila K. Oberto

17  
18 **STIPULATION**

19 Plaintiff United States of America, by and through its counsel of record, and defendants, by and  
20 through defendants' counsel of record, hereby stipulate as follows:

21 1. By previous order, this matter was set for status conference on April 5, 2023.  
22 2. The parties hereby request that the Court vacate the current status conference date, set  
this matter for trial on October 24, 2023, and exclude time between April 5, 2023, and October 24, 2023,  
under 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4]. The parties further request a trial  
confirmation date be set for September 25, 2023.

23 3. The parties agree and stipulate, and request that the Court find the following:  
24 a) The government represents that the discovery associated with this case has been  
provided. The government is aware of its ongoing discovery obligations.

1           b)     The parties are in plea discussions.

2           c)     Counsel for defendant desires additional time to confer with their clients about a  
3 possible resolution, to review discovery, and to otherwise prepare for trial.

4           d)     Counsel for defendants believes that failure to grant the above-requested  
5 continuance would deny him/her the reasonable time necessary for effective preparation, taking  
6 into account the exercise of due diligence.

7           e)     The government does not object to the continuance.

8           f)     Based on the above-stated findings, the ends of justice served by continuing the  
9 case as requested outweigh the interest of the public and the defendant in a trial within the  
10 original date prescribed by the Speedy Trial Act.

11          g)     For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,  
12 et seq., within which trial must commence, the time period of April 5, 2023, to October 24, 2023,  
13 inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4]  
14 because it results from a continuance granted by the Court at defendant's request on the basis of  
15 the Court's finding that the ends of justice served by taking such action outweigh the best interest  
16 of the public and the defendant in a speedy trial.

17          4.     Nothing in this stipulation and order shall preclude a finding that other provisions of the  
18 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial  
19 must commence.

20          IT IS SO STIPULATED.

21          Dated: March 29, 2023

PHILLIP A. TALBERT  
United States Attorney

23          \_\_\_\_\_  
24          /s/ JESSICA A. MASSEY

JESSICA A. MASSEY  
Assistant United States Attorney

25          Dated: March 29, 2023

26          \_\_\_\_\_  
27          /s/ ROBERT LEE FORKNER  
28          ROBERT LEE FORKNER  
                 Counsel for Defendant  
                 RICARDO BALLARDO  
                 QUINTERO

1 Dated: March 29, 2023

2                            /s/ PRECILIANO MARTINEZ  
3                            PRECILIANO MARTINEZ  
4                            Counsel for Defendant  
5                            JUAN SUAREZ JR.

6                            **ORDER**

7                           The status conference date currently scheduled for April 5, 2023, is vacated. The matter is  
8                           hereby scheduled for trial on October 24, 2023, with a trial confirmation date set for September 25,  
9                           2023.

10                          Time shall be excluded from April 5, 2023, through October 24, 2023, pursuant to 18 United  
11                          States Code Section 3161(h)(7)(A), B(iv), to allow the parties to sufficiently prepare for trial and  
12                          continue their plea discussions. The Court finds that the ends of justice outweigh the interest of the  
13                          defendant and the public in a speedy trial.

14                          IT IS SO ORDERED.

15                          DATED: 3/29/2023

16                          \_\_\_\_\_  
17                          *Sheila K. Oberto*  
18                          Hon. Sheila K. Oberto  
19                          U.S. Magistrate Judge